



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

July 3, 2003



**Certified Mail
Return Receipt Requested**

**Letter of Deficiency
No. WMD 03-15**

David Collins
344 Portland Street
Lancaster, NH 03584

Re: SWC 03-011; Bog Road, North Stratford, NH

Dear Mr. Collins:

On May 13, 2003, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of your property located at Bog Road, North Stratford, NH ("Site"). The purpose of the inspection was to determine your compliance status with RSA 149-M and rules adopted pursuant thereto relative to the proper management of solid waste.

During the May 13, 2003 inspection, DES personnel observed three piles of partially burned solid waste consisting of, but not limited to, construction and demolition debris, household belongings, fiberglass insulation, metal, glass, plastic, clothing, cardboard, PVC pipe, asphalt shingles, painted wood, carpet scraps, and household trash. A subsequent review of town records showed the property listed as Tax Map R 19, Lot 40, and that you own the property.

This letter serves to inform you that the above referenced Site conditions constitute violations of RSA 149-M, specifically:

- | | |
|-------------------|--|
| RSA 149-M:9, I | Operating an unpermitted solid waste facility. |
| RSA 149-M:9, II | Failure to dispose of solid waste at a permitted solid waste facility. |
| Env-Wm 2702.02(e) | Burning solid waste other than as allowed by Env-A 1000. |

DES believes that the cited deficiencies can be corrected by completing the following requested remedial actions within the time indicated:

Immediately cease operating an unpermitted solid waste facility.

Immediately cease disposing of solid waste to an unpermitted solid waste facility

Immediately cease burning solid waste.

4. **Within 7 days** the date of this letter, collect a representative sample of the ash and have the ash analyzed using EPA test method Method 6010 or 6020, as described in EPA publication SW-846 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods."

5. Submit test results to DES **by August 1, 2003** at the address noted below

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6. Remove all solid waste at the Site, specifically construction and demolition debris, household belongings, fiberglass insulation, metal, glass, plastic, clothing, cardboard, PVC pipe, asphalt shingles, painted wood, carpet scraps, and household trash, **by August 1, 2003**, to a solid waste facility permitted to handle such wastes.
7. Remove all ash at the Site **by August 8, 2003**, to a facility permitted to handle such waste.
8. **By August 15, 2003**, submit to DES written confirmation that these steps have been completed, including **copies of all disposal receipts** for the solid waste, at the address below.


Please address all correspondence and reports regarding this matter to:

Michael Galuszka, Waste Management Specialist
Department of Environmental Services
80 Glen Road
Gorham, NH 03581
Fax: (603) 466-5148

In the event compliance is not achieved within the time period indicated above, DES may initiate formal enforcement action against you, including issuing an order requiring the deficiencies to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violation(s) noted above.

Your prompt cooperation is appreciated. Please contact Michael Galuszka at (603) 466-5389 if you have any questions or need further assistance.

Sincerely,


Kenneth W. Marschner
Administrator
Waste Management Programs

Certified Mail RRR#: 7000 1670 0000 0584 3069

CC: DB/File/Town
Philip J. O'Brien, Ph.D., P.G., Director, WMD
Gretchen Rule, DES Legal Unit
Town Clerk, North Stratford, NH